



PATENT  
Customer No. 22,852  
New Attorney Docket No. 09423.0046-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: )  
Avigdor LEV ) Group Art Unit: 3739  
Application No.: 09/923,279 ) Examiner: Unknown  
Filed: August 6, 2001 )  
For: RADIATING DEVICE FOR ) Confirmation No.: 9037  
HYPERTERMIA )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached 1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
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Roland G. McAndrews  
Reg. No. 41,450

Dated: September 30, 2004

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## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09423.0046-01000	Application No.	09/923,279
Applicant	Avigdor LEV		
Filing Date	August 6, 2001	Group:	3739



## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,676,258	06/1987	Inokuchi et al.			

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	60-119962	06/1985	JP			counterpart USPN 4,676,258 attached
	62-94152	04/1987	JP			Yes - partial

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce